

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES**

July 12, 2001

The regular meeting was held in the Scott Fiscal Courtroom on July 12, 2001. The meeting was called to order by Vice Chairman John Sharpe at 7:00 p.m. Present were Commissioners Barry Brock, Pete Gritton, Robert Hopkins, Omer Lee, William Peters, James Thomason, Elizabeth Williams, Planning Director Kelley Klepper, Planner Steven Biel, Engineer Brad Frazier, Inspector Brent Pergrem, and Attorney Charlie Perkins. Absent was Chairperson Sara Sutton.

Vice Chairman Sharpe and Mr. Frazier introduced Brent Pergrem, the new construction inspector.

Motion by Gritton, second by Thomason, to approve the June invoices. Motion carried.

Motion by Hopkins, second by Gritton, to approve the June 14, 2001 minutes. Motion carried.

Mr. Klepper added to the agenda 1) a brief update on HB 55 - Continuing Education and 2) scheduling a hearing on the Urban Committee's recommendations on the urban service boundary and land use reclassifications. With those additions under Staff Reports/Other Business, motion by Williams, second by Brock, to accept the July agenda. Motion carried.

Postponements/Withdrawals

Mr. Klepper reported that staff recommends postponement of the Bruce and Anita Jackson Cluster until the August meeting; representatives of the Logan Property and the Robert Jones Townhomes applications have requested postponement to the August meeting; and the sign ordinance public hearing is postponed until August.

Consent Agenda

There were no items on the Consent Agenda.

ZMA-2001-15 Cherry Blossom Development - Commercial Area (Cherry Blossom Golf and Country Club) - Rezoning request for 14.02 acres from R-2 PUD Residential to B-5 General Commercial Park, located northeast of Connector Road, northwest of Old Oxford Road, east of Oxford Drive (Old U.S. 62). PUBLIC HEARING

Vice-Chairman Sharpe opened the public hearing. Mr. Klepper reported that staff recommends denial due to the application not being in compliance with the Comprehensive Plan.

Bruce Lankford, representing the applicant, asked that the item be withdrawn from the agenda. Vice-Chairman Sharpe accepted the withdrawal.

ZMA-2001-40 Rocky Creek Development - Rezoning request for 189.29 acres from A-1 Agricultural to B-4 Commercial (11.73 acres) and R-2 PUD (177.56 acres) located on the north side of U.S. 460 E., north of Crumbaugh Road, east of Connector Road. PUBLIC HEARING

Vice-Chairman Sharpe opened the public hearing. Mr. Klepper reviewed the staff report and stated that staff is very supportive of the plan.

Commissioner Williams asked why the road on the east side of the property is so close to the Bell property line. Mr. Klepper replied that the topography necessitated that design, and that it would provide a possible future access point to the Bell property.

Ambi Bell, adjacent property owner, submitted a letter for the record. She described their farming operation and expressed her opposition to the issues that will affect their farm: complaints about crop-spraying, irrigation, lime-spreading, and cattle bawling. She expressed concern about runoff, flooding, pollution of ground water and Elkhorn Creek, theft, vandalism, litter, trespassing by hikers, bicyclists, and children, dogs, ATVs, crop damage, harrassment of livestock and the liability issue. She requested the Commission deny the zone change, especially east of Lanes Run. If the Commission does not deny the request, she requested the following: a secure and adequate double fence along the two common boundaries with dense plantings and trees and that it be made part of any approved zone change, and be installed prior to final approval.

Commissioners Williams suggested postponing at least the portion of the zone change east of Lanes Run so that the Bells can work with the developers to agree on an adequate buffer.

Mack Stone, who is involved with the Bell Farm, stated that dense buffering helps control odor and farm chemicals.

Harley Jones, resident of Elkhorn Green, supported the requests of the Bells.

John Bell, applicant, emphasized their desire for a dense buffer.

Andrea Shively, resident of Elkhorn Green, expressed concern about possible low-income apartments and vacant commercial buildings.

Bill Roggenkamp, Crumbaugh Road resident, expressed concern about increased stormwater runoff.

James Drohand, resident of Elkhorn Green, felt that additional housing is not needed in Georgetown.

Commissioner Gritton explained that the time to consider whether more development is needed is during the Comprehensive Plan process. Regarding the possibility of denying the zone change east of Lanes Run, Mr. Klepper explained how and why the Lanes Run Basin component of the Comprehensive Plan dictates the limit of the urban service boundary.

Discussion continued on dividing the property at Lanes Run. Commissioner Brock did not support that option. Attorney Perkins felt that option should be given further study.

Mr. Klepper noted that the configuration of the roads was in part to address the comments that were made when the Villages of Elkhorn Green was developed that people did not wish to see the backs of houses when entering Georgetown from the east.

Ambi Bell requested for the record that she be notified of any changes to the plan for the Rogers Property. She also reiterated her request that the buffer be part of the zone change approval.

Bruce Lankford, representing the applicant, stated that the application complies with all regulations. He asked Mr. Klepper to address the discussion he had with Cecil and Kay Bell, adjoining farm owners. Mr. Klepper stated that Cecil and Kay Bell were pleased with the current plan and asked that at least one road stub, and possibly two, be in place to provide future connections if their farm should ever be developed. He also stated that they felt the proposed buffer was a step in the right direction.

Mr. Klepper also addressed the fencing/buffering requirements. He stated that the Urban Committee of the Comprehensive Plan has determined that each piece of property needs to be evaluated at the time of the zone change or review as to the most practical fencing/buffering requirement that should be applied.

John Bell, adjoining farm owner, reiterated Ambi Bell's request that the buffer requirement be agreed upon at the time of the zone change. He added that a buffer in place before development occurs will prevent construction debris, which is a health hazard to livestock, from coming onto their farm.

Mr. Lankford requested the Commission not vote to possibly deny the eastern portion of the zone change request, but instead postpone the entire application to the August meeting.

The time limit issue was discussed. Vice-Chairman Sharpe continued the public hearing on the entire application.

ZMA-2001-41 The Reserve at Cherry Blossom - Rezoning request for 8.9 acres from A-1 Agriculture to R-3 Residential, located on the northwest side of Oxford Road, east of Connector Road (KY 2906), southeast of Cherry Blossom Way.
PUBLIC HEARING

Vice-Chairman Sharpe stated that the zone change request will be heard at a special meeting on July 26, 2001, at 6:00 p.m.

PSP-2001-36 Thoroughbred Acres, Unit 6 - Preliminary Subdivision Plat for 72 single-family detached lots plus conceptual plan request for approximately 52 townhouses, located on the east and west sides of Pavilion Drive, north of Champion Way.

Mr. Klepper reviewed the staff report, which recommended approval of the plat with the deletion of the pedestrian access point. It was noted that the Trails Committee will study the tree preservation/drainage area to include a pedestrian trail.

The applicant agreed with the conditions of approval.

Motion by Hopkins, second by Thomason, to approve the Preliminary Subdivision Plat, including the variance regarding the electrical transformers, and subject to the nine conditions listed in the staff report. Motion carried.

PDP-2001-33 Pet Palace Dog Kennel - Preliminary Development Plan for a 2,160 sq. ft. dog kennel, on 7.71 acres, located on the south side of Ironworks Road (KY 1973), south of U.S. 460, west of Soards Road.

Mr. Biel reviewed the staff report, which recommends denial due to the Board of Health's denial because the site does not contain 10 acres.

Bruce Lankford was present representing the neighbors who oppose the project, but no comments were made.

Motion by Williams, second by Peters, to deny the Preliminary Development Plan on the basis that there is inadequate acreage as determined by the Board of Health. Motion carried.

Mr. Lankford stated that there are other reasons why the project could be denied, even if there was adequate acreage. He wished to reserve the right to have those reasons made known in the event that the tract of land becomes 10 acres.

Sandra Ostermeyer, Ironworks Road resident, asked that if the issue comes back before the Commission, all the area residents that are interested in the matter be notified, not just the adjacent property owners. Mr. Klepper advised her to make that request to the Health Department and the Board of Adjustment.

PDP-2001-37 Georgetown College Recreation/Fitness Center - Preliminary Development Plan for a 23,500 sq. ft. gymnasium on 5.28 acres, located on the south side of College Street and the west side of Military Street.

Mr. Frazier reviewed the staff report, noting that a lighting plan will be submitted to ensure that the lights will not negatively impact the neighbors.

Frank Mason, representing Georgetown College, agreed with the conditions of approval.

Motion by Williams, second by Brock, to approve the Preliminary Development Plan subject to the eleven conditions of approval. Motion carried.

PDP-2001-39 Lusby Car Wash - Preliminary Development Plan for a 4,750 sq. ft. automated and self-serve car wash facility located on 0.97 acres on the northwest side of Cherry Blossom Way, east of I-75, north of U.S. 460. This site is outlot 2 in the new Wal-Mart Supercenter.

Mr. Biel reviewed the staff report.

Commissioner Williams expressed concern about the uses that were originally proposed for the B-5 zone, which were retail, restaurant, professional office, and big box retail. She felt that a car wash is not the best use of this lot, referring to the pedestrian access and compatibility issues set forth in the original Cherry Blossom Centre application and the B-5 regulations.

Harold Simms, representing the applicant, stated that the original conceptual plan for Cherry Blossom Centre is very different from the present plan due to the location of Wal-Mart on the site. He addressed the compatibility issue, noting the automotive repair and gas station facilities on the Wal-Mart property.

Commissioner Williams recalled specifics of the Wal-Mart gas station approval and continued addressing the intent of the B-5 zone and implications of allowing an auto-intensive use such as a car wash.

Mr. Simms introduced Joe Murphy, applicant, who presented photographs of a car wash in Lexington similar to what they propose with this application. He felt that the proposed car wash will not have a heavy traffic impact.

Commissioner Williams expressed concern about the precedent that will be set by approving a car wash. Mr. Murphy responded that, beyond what is allowed by local zoning regulations, Wal-Mart controls what types of businesses and their design that are allowed on its outlots. Mr. Simms stated that the landscape design will be compatible with the Wal-mart landscape design. David Lusby, applicant, stated the building will use the Wal-Mart color scheme.

Mr. Biel addressed the pedestrian issue.

Motion by Hopkins, second by Gritton, to approve the Preliminary Development Plan subject to the 17 conditions listed in the staff report. Motion carried 6-1, with Williams dissenting.

PDP-2001-42 Wyndamere - Preliminary Development Plan for 96 multi-family units located on the south side of U.S. 460 East, east of Dover Drive, north and west side of Elkhorn Creek.

Mr. Klepper reviewed the staff report, which recommended approval.

Commissioner Williams expressed her desire that the units be built with more architectural variation and sufficient open space for play areas. Mark Pulliam, representing the applicant, assured the Commission that the units will be varied and aesthetically pleasing and also reviewed the green space plans.

Motion by Brock, second by Lee, to approve the Preliminary Development Plan subject to the 14 conditions listed in the staff report. Motion carried.

Mr. Klepper asked for approval for two sessions that were attended by two of the Commissioners to apply toward continuing education requirements per H.B. 55.

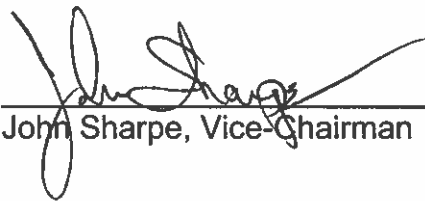
Motion by Hopkins, second by Gritton, to approve applying the sessions toward continuing education. Motion carried.

Mr. Klepper requested that a public meeting be scheduled on July 26, 2001, 6:30 p.m., to review the findings of the Urban Committee regarding the urban services boundary and land use reclassifications. The Commission agreed.

Update of previously approved projects and agenda items


The meeting was then adjourned.

Respectfully,



John Sharpe, Vice-Chairman

Attest:



Charlie Perkins, Secretary